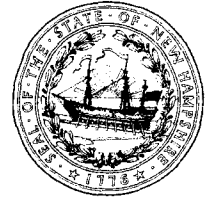




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

LETTER OF DEFICIENCY

No. WD SS 05-11

September 27, 2005

Mr. Peter Foss
309 Loudon Road
Pittsfield, NH 03263

RE: Failed Septic System

Dear Mr. Foss:

On September 21, 2005, personnel from the Department of Environmental Services, Water Division ("DES") received a report from the Town of Pittsfield Health officer concerning an inspection of your property, described as Lot # 14-A, on Tax Map # R-35, and located on Loudon Road, Pittsfield, NH, 03263 ("the Property"). The purpose of this inspection was to determine whether you were in compliance with RSA 485-A and its implementing regulations, the Subdivision and Individual Sewage Disposal System Design Rules, Env-Ws 1000 ("the Rules").

As a result of the inspection, the following deficiency was noted:

1. Your septic system is in failure, and must be replaced.

DES expects the above deficiency to be permanently corrected within 30 days by initiating and completing the following measures:

1. Engage a permitted septic system designer to prepare and submit septic system plans and specifications to DES for the total waste load generated on the Property.
2. Obtain approval to construct the system.
3. Construct and obtain approval to cover and use the system.
4. Operate and maintain the system in accordance with NH Administrative Rule Env-Ws 1023.

During the interim between receipt of this letter and the date by which permanent corrections have been completed, as an alternate to vacating the premises, DES expects that collected sewage will be pumped and disposed in accordance with NH Administrative Rule Env-Ws 1600 at sufficient frequent intervals to prevent further overflow. If this alternative is utilized, it is advised that pumping receipts be retained.

DES believes the cited deficiencies will be corrected within 30 days and a report describing the corrective measures can be submitted to this office within 30 days of receipt of this letter.


In the event compliance is not achieved within this period, DES may take further action against you, including issuing an order requiring the above items to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the New Hampshire Department of Justice for imposition of civil and/or criminal penalties. In addition, DES personnel will inspect the Property at a later date to determine whether you have come into, and are maintaining, full compliance with all applicable statutes and directives.

The written report as requested above should be addressed as follows:

Richard J. de Seve, SSB, DES
Department of Environmental Services
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

Your prompt cooperation is appreciated. Should you have any questions regarding this letter, please contact Richard J. de Seve at 271-3442.

Sincerely,


William E. Evans, P.E.
Administrator
Subsurface Systems Bureau

WEE/RJD

CERTIFIED MAIL 7099 3400 0002 9773 0468

Cc: James G. Falicon, SSB, DES
Gretchen C. Hamel, Enforcement Coordinator, DES
Board of Selectmen, Town of Pittsfield
H. Fitzgerald, Town of Pittsfield Health Officer
Richard J. de Seve, SSB, DES